



DECLARATION AND POWER OF ATTORNEY

I, as a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I believe I am an original, first and joint inventor of the invention entitled "PROTECTIVE MULTI-LAYERED LIQUID RETAINING COMPOSITE" filed on September 30, 1999 as United States Application Number 09/408,861.

I have reviewed and understand the contents of the specification, including the claims, in the above-referenced application, as amended by any amendment specifically referred to in the Declaration.

I acknowledge my duty pursuant to 37 C.F.R. §1.56 to disclose information of which I am aware which is material to the patentability of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations,

§1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Title of Prior Application: A PROTECTIVE MULTI-LAYERED
LIQUID RETAINING COMPOSITE

Application Serial No. 09/275,194

Filing Date of Prior Application: March 23, 1999;

which is a continuation-in-part of Application Serial No. 08/947,184; now U.S. Patent Number 5,885,912.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Mark J. Patterson (Reg. No. 30,412)
I. C. Waddey, Jr. (Reg. No. 25,180)
Edward D. Lanquist, Jr. (Reg. No. 33,729)
Lucian Wayne Beavers (Reg. No. 28,183)
John C. Garvin, Jr. (Reg. No. 20,542)
Laura K. Thomas (Reg. No. 39,856)
Emily A. Shouse (Reg. No. 44,336)
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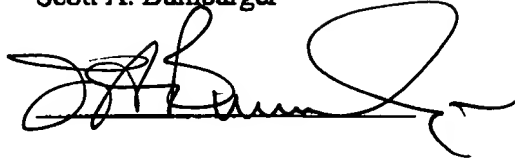
Address all correspondence to:

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Waddey & Patterson
414 Union Street, Suite 2020
Bank of America Plaza
Nashville, TN 37219

Full name of Inventor:

Scott A. Bumbarger

Inventor's signature:



12-20-99
Date

Residence:

2426 Duncansby Drive, SW
Decatur, AL 35603

Citizenship:

United States

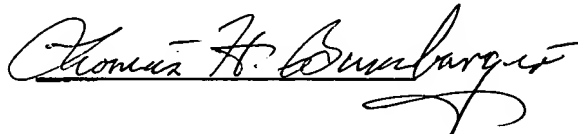
Post Office Address:

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Full name of Inventor:

Thomas H. Bumbarger

Inventor's signature:



12/20/99
Date

Residence:

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Applicant or Patentee: Bumbarger et al.

Attorney's Docket No. 4310

Application Serial No. 09/408,861

Filed or Issued: September 30, 1999

For: PROTECTIVE MULTI-LAYERED LIQUID RETAINING COMPOSITE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am an officer of the small business concern identified below:

NAME OF SMALL BUSINESS CONCERN: AquaTex Industries

ADDRESS OF SMALL BUSINESS CONCERN: 307 Wynn Drive, Huntsville, Alabama 35805

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Protective Multi-Layered Liquid Retaining Composite by inventors Bumbarger, described in the application serial no. 09/408,861, filed September 30, 1999.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date at which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Scott Bumbarger

TITLE OF PERSON IF OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 307 Wynn Drive, Huntsville, Alabama 35805

SIGNATURE

DATE

12-20-99

Applicant or Patentee: Bumbarger et al.

Attorney's Docket No. 4310

Application Serial No.: 09/408,861

Filed or Issued: September 30, 1999

For: PROTECTIVE MULTI-LAYERED LIQUID RETAINING COMPOSITE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9 (f) & 1.27 (c)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "Protective Multi-Layered Liquid Retaining Composite" described in the patent application serial number 09/408,861 filed September 30, 1999.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights to the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(a).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

NAME: AquaTex Industries

ADDRESS: 307 Wynn Drive, Huntsville, Alabama 35805

This entity is a Small Business Concern

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date at which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


Scott A. Bumbarger12-20-99
Date
Thomas H. Bumbarger12/29/99
Date